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REMARKS

This is a full and timely response to the final Official Action mailed **December 28, 2005**. A petition for a one-month extension of time to respond and the requisite fee are filed herewith. Reconsideration of the application in light of the following remarks is respectfully requested.

Request for Continued Examination:

Applicant hereby requests Continued Examination for this application and entry and consideration of this amendment consequent thereto.

Claim Status:

Original claims 8 and 17-20 have been cancelled previously. Thus, claims 1-7, 9-16 and 21-28 are currently pending for further action. Claims 22, 23, 26 and 27 have each been amended herein and rewritten as independent claims.

Prior Art--Anticipation:

All the previous rejections under § 102 have been reconsidered and withdrawn.

Prior Art—Obviousness:

Claims 21, 22, 25 and 26 were rejected as being unpatentable under 35 U.S.C. § 103(a) over the combined teachings of U.S. Patent No. 6,823,451 to Gulick et al. ("Gulick"), U.S. Patent No., 6,145,083 to Shaffer et al. ("Shaffer") and U.S. Patent No. 6,615,264 to Stoltz et al. ("Stoltz"). For at least the following reasons, this rejection is respectfully traversed.

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Claim 26 recites:

A method for controlling use of a piece of office equipment or a particular resource available through that piece of equipment, said method comprising:

timing a period during which said equipment receives no user input and placing said equipment or a resource available through said equipment into a locked state upon elapse of a first predetermined period during which no user input is received; and

re-enabling operation of said piece of office equipment or a resource available through that office equipment to an authorized user upon presentation of an identifier of said authorized user to a sensor of a lock control device connected to said piece of office equipment, wherein said sensor senses and recognizes said identifier to identify said authorized user;

said method further comprising:

initially unlocking said piece of office equipment with entry of at least one password;

allowing a user to subsequently unlock said piece of office equipment by presentation of said user identifier rather than re-entry of said at least one password; and

unlocking said piece of office equipment with said identifier for a second predetermined period after entry of said at least one password, with re-entry of said password being required to unlock said piece of office equipment after elapse of said second predetermined period of time, said second predetermined period of time being longer than said first predetermined period of time

(emphasis added).

Claim 22 similarly recites:

A system for controlling use of a piece of office equipment or a particular resource available through that piece of equipment, said system comprising:

a piece of office equipment comprising a timer for timing periods during which said equipment receives no user input, wherein said equipment automatically enters a locked state upon elapse of a first predetermined period of time during which no user input is received; and

a lock control device connected to said piece of office equipment, wherein said lock control device is configured to unlock said piece of office equipment upon presentation of an identifier of an authorized user to a sensor of said lock control device, said sensor sensing and recognizing said identifier to identify said authorized user,

wherein a user initially unlocks said piece of office equipment with entry of at least one password; and

wherein said lock control device then allows said user to unlock said piece of office equipment with presentation of said identifier and without re-entry of said at least one password, said lock control device being active to unlock said piece of office equipment during a second predetermined period of time following entry of said at least one password, with re-entry of said password being required to unlock said piece of office equipment after elapse of said second predetermined period of time,

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said second predetermined period of time being longer than said first predetermined period of time.
(emphasis added).

The recent Office Action concedes that Gulick and Shaffer fail to teach or suggest the emphasized features of claims 22 and 26. Consequently, Stoltz is cited at col. 7, lines 27-36.

(Action of 12/28/05, p. 10). The cited portion of Stoltz reads:

Using embodiments of the invention, the use of a particular service may also be terminated if desired. For example, after a designated time period, a user's authentication may no longer be valid and such invalidity may act to terminate a session. Alternatively, a user may be requested to reauthenticate themselves every so often to ensure only authorized users are permitted access. Should a reauthentication attempt fail, a session may be terminated immediately.
(Stoltz, col. 7, lines 27-36)

Thus, Stoltz, as cited in the final Office Action merely teaches that an authentication is only good for a "designated time period" after which the session is terminated or the user may be "requested to reauthenticate themselves."

This is entirely different from the recitations of claims 22 and 26. As noted above, claims 22 and 26 recite the use of two different predetermined periods of time. A password is used to gain initial access. Then, for a specific period of time, referred to in the claims as the "second predetermined period of time," an alternate means of gaining access is enabled, i.e., using an identifier to operate a lock control device "*without re-entry of said at least one password.*" (emphasis added). Thus, the lock control device may be used to unlock the resource after elapse of a "first predetermined period of time" during which there is no user access. This may occur multiple times during the longer "second predetermined period of time." After the second predetermined period of time, re-entry of the original password is again required to enable further access.

The combination of Gulick, Shaffer and Stoltz does not teach or suggest using one means of authenticating a user initially (e.g., a password) and then activating an alternate

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means of authenticating a user (e.g., the claimed identifier and lock control device) during a specific predetermined period of time, after which re-use of the initial activation means is required. No such subject matter is taught by Gulick, Shaffer or Stotlz. No such subject matter is taught in any of the other prior art references of record. Thus, the combination of cited prior art fails to teach or suggest all the features of claims 22 and 26.

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). For at least this reason, the rejection of claims 22 and 26 should be reconsidered and withdrawn.

Claims 3, 4, 11, 12, 19, 23 and 27 were rejected as being unpatentable under 35 U.S.C. § 103(a) over the combined teachings of Gulick, Shaffer and U.S. Patent No. 6,089,611 to Blank ("Blank"). For at least the following reasons, this rejection is respectfully traversed.

Claim 27 recites:

A method for controlling use of a piece of office equipment or a particular resource available through that piece of equipment, said method comprising:
timing a period during which said equipment receives no user input and
placing said equipment or a resource available through said equipment into a locked state upon elapse of a pre-determined period during which no user input is received;
and

re-enabling operation of said piece of office equipment or a resource available through that office equipment to an authorized user upon presentation of an identifier of said authorized user to a sensor of a lock control device connected to said piece of office equipment, wherein said sensor senses and recognizes said identifier to identify said authorized user;

wherein said identifier comprises a credit card.

(emphasis added).

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Similarly, claim 23 recites:

A system for controlling use of a piece of office equipment or a particular resource available through that piece of equipment, said system comprising:

a piece of office equipment comprising a timer for timing periods during which said equipment receives no user input, wherein said equipment automatically enters a locked state upon elapse of a pre-determined period measured by said timer during which no user input is received; and

a lock control device connected to said piece of office equipment, wherein said lock control device is activated to unlock said equipment upon presentation of an identifier of an authorized user to a sensor of said lock control device, said sensor sensing and recognizing said identifier to identify said authorized user,

wherein said lock control device controls user operation of said office equipment by selectively enabling operation of said office equipment or a resource available through that office equipment based on sensing and recognizing said identifier of said authorized user.

wherein said identifier comprises a credit card.

(emphasis added).

In contrast, no prior art reference teaches or suggests the use of a credit card specifically as an identifier for granting controlled access to an authorized user of a piece of office equipment or a particular resource available through that piece of equipment. In this regard, the final Office Action cites Blank at col. 6, lines 50-64. (Action of 12/28/05, p. 8). However, Blank merely teaches a sticker label (18) that can be attached to a card for use in a coupon promotional system or reward redemption system. (Blank, abstract). The cited portion of Blank states:

As discussed above, the prior art method of registering a prospective holder of a credit card is a lengthy multi-step process. However, in accordance with a specific embodiment of the present invention, the number of steps and the length of the registration process of a prospective credit card customer can be significantly reduced. For example, a credit card with the removable and reusable label affixed to either side of the credit card and printed with a registration indicia thereon, and a registration form may be transmitted to targeted groups of the population. A potential registrant may then fill out the application form at home, remove the label from the credit card, place the label on the application form, and mail the form to the promoter of the card for instant registration.

(Blank, col. 6, lines 50-64).

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Thus, Blank, as cited by the final Office Action, clearly does not teach or suggest the use of a credit card as an identifier for selectively unlocking access to a piece of office equipment or a resource available through that equipment.

In this regard, the Advisory Action now refers to Gulick as teachings a "smart card for authentication purposes." According to the Advisory Action, "a credit card used for authentication for all intensive [sic] purposes is equivalent to a smart card." (Advisory Action of 3/22/06). This is incorrect.

By definition, a smart card is different than a credit card. A smart card typically contains a microprocessor with memory, rather than merely having an encoded magnetic strip like a credit card. The Advisory Action reads more into the prior art that is actually there to argue that because Gulick teaches the use of a smart card, Gulick also teaches the use of a credit card for authentication purposes. Gulick does not teach or suggest the use of a credit card as claimed, nor would one of skill in the art have confused Gulick's teachings regarding a smart card as applying to a credit card. A credit card does not have the same capability to store data as does a smart card. Neither Gulick, Shaffer nor Blank teach or suggest a credit card used to authenticate the user of a resource. Thus, the cited combination of prior art fails to teach or suggest this feature of claims 23 and 27. No other prior art reference of record teaches or suggests this subject matter.

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). For at least this reason, the rejection of claims 23 and 27 should be reconsidered and withdrawn.

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Claims 1, 2, 5, 6, 7, 9, 10, 15, 16, 24 and 28 were rejected as being unpatentable under 35 U.S.C. § 103(a) over the combined teachings of Gulick and Shaffer. For at least the following reasons, this rejection is respectfully traversed.

Claim 1 recites:

A system for controlling use of a piece of office equipment or a particular resource available through that piece of equipment, said system comprising:

a piece of office equipment comprising a timer for timing periods during which said equipment receives no user input, wherein said equipment automatically enters a locked state upon elapse of a pre-determined period measured by said timer during which no user input is received; and

a lock control device connected to said piece of office equipment, *wherein said lock control device is activated to unlock said equipment upon presentation of a physical identifier of an authorized user to a sensor of said lock control device, said sensor sensing a physical presence of said identifier and recognizing said identifier to identify said authorized user,*

wherein said lock control device controls user operation of said office equipment by selectively enabling operation of said office equipment or a resource available through that office equipment based on sensing and recognizing said identifier of said authorized user.

(emphasis added).

Independent claim 9 similarly recites:

A method for controlling use of a piece of office equipment or a particular resource available through that piece of equipment, said method comprising:

timing a period during which said equipment receives no user input and placing said equipment or a resource available through said equipment into a locked state upon elapse of a pre-determined period during which no user input is received; and

re-enabling operation of said piece of office equipment or a resource available through that office equipment to an authorized user upon presentation of an identifier of said authorized user to a sensor of a lock control device connected to said piece of office equipment, wherein said sensor senses and recognizes said identifier to identify said authorized user.

In contrast, Gulick fails to teach or suggest a piece of office equipment that times periods during which no user input is received, enters a locked state in response and can be unlocked upon presentation of an identifier of an authorized user to a sensor of a lock control

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device. Gulick is concerned primarily with a "System Management Mode (SMM) [which] is a mode of operation in the computer system that was implemented to conserve power."

(Gulick, col. 6, lines 14-16). Gulick, as cited in the final Office Action, teaches "security hardware 370 in the south bridge 330 may be operable to provide an SMI interrupt request to the IC 365 for the processor 102." (Gulick, col. 8, lines 33-36). The SMI interrupt request puts the system in the SMM for power conservation.

As conceded by the Office Action, Gulick never teaches or suggest "timing a period during which said equipment receives no user input and placing said equipment or a resource available through said equipment into a locked state upon elapse of a pre-determined period during which no user input is received." (Action of 12/28/05, p. 4). Consequently, the Office Action cites to Shaffer at col. 2, lines 55-67. This portion of Shaffer teaches a "screen saver of the computing device [that] is configured to switch the device from a normal operative mode to a locked mode in response to detection of a preset condition, such as the expiration of an idle-time timer. The computing device then remains in the locked mode until a preset authorization condition is recognized, e.g., entering a password." (Shaffer, abstract).

Thus, Gulick is concerned with an SMM for power conservation that is *not* based on a period of inactivity. In contrast, Shaffer is concerned with a screen saver that selectively locks up an entire computer without regard to power conservation. Consequently, there is no motivation to combine the teachings of Gulick and Shaffer as proposed in the recent Office Action.

"Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.

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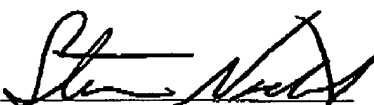
Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed Cir. 1992)." M.P.E.P. § 2143.01 (emphasis added). For at least this reasons, the rejection of claims 1 and 9, and their respective dependent claims, based on the combination of Gulick and Shaffer should be reconsidered and withdrawn.

Conclusion:

For the foregoing reasons, the present application is thought to be clearly in condition for allowance. Accordingly, favorable reconsideration of the application in light of these remarks is courteously solicited. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

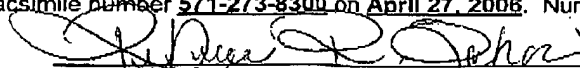
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Steven L. Nichols
Registration No. 40,326

Steven L. Nichols, Esq.
Managing Partner, Utah Office
Rader Fishman & Grauer PLLC
River Park Corporate Center One
10653 S. River Front Parkway, Suite 150
South Jordan, Utah 84095
(801) 572-8066
(801) 572-7666 (fax)

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Rebecca R. Schow